

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KATHY J. JACOWSKI,

Plaintiff,

ORDER

15-cv-657-bbc

v.

KRAFT HEINZ FOODS COMPANY,
AETNA LIFE INSURANCE COMPANY and
KRAFT FOODS GROUP, INC. EMPLOYEE-PAID
GROUP BENEFITS PLAN,

Defendants.

Plaintiff Kathy Jacowski is suing defendants Kraft Heinz Foods Company, Aetna Life Insurance Company and Kraft Foods Group, Inc. Employee-Paid Group Benefits Plan for refusing to pay benefits under a long-term disability plan governed by the Employee Retirement Income Security Act. Now before the court is what plaintiff calls a “motion to compel,” dkt. #33, but I agree with defendants that the more accurate title is a motion to supplement the record. In particular, plaintiff says that the administrative record in this case should include documents related to the “voluntary appeal” that plaintiff filed with defendants. She has submitted those documents to the court. Dkt. #35.

I see no harm in including those documents in the record, so I will grant the motion. The parties can debate the legal significance of those documents, if any, in the context of their summary judgment submissions.

ORDER

IT IS ORDERED that plaintiff Kathy Jacowski's "motion to compel," which I construe as a motion to supplement the record with documents filed in dkt. #35, is GRANTED.

Entered this 9th day of May, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge